REMARKS

The Official Action dated March 8, 2006, has been carefully reviewed and the following remarks are provided in response thereto. Claims 1-3, 5, 7, 9-11, 13-16, 19-21 and 23-35 are pending in the application. In the August 2, 2005 final action the Examiner rejected claims 1-3, 5, 7, 9-11, 20, 23, 26 and 27 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,802,367 to Held et al. (hereinafter "Held") in view of U.S. Patent 5,748,896 to Daly et al. (hereinafter "Daly"). In addition, the Examiner rejected claims 24 and 25 under 35 U.S.C. § 103(a) as being unpatentable over Held in view of Daly, and further in view of U.S. Patent 5,613,148 to Bezviner et al. (hereinafter "Bezviner"). Finally, the Examiner rejected claims 13-16, 19, 21 and 28-35 under 35 U.S.C. § 103(a) as being unpatentable over Bezviner in view of Daly.

The present Official Action follows the decision of a Pre-Appeal Brief Review Conference. The conference decision, mailed on January 4, 2006, withdrew the prior rejection of claims 1-3, 5, 7, 9-11, 13-16, 19-21 and 23-35, and reopened prosecution of the present application. The rejection contained in the March 8, 2006 Official Action differs little from the prior rejection of the claims which was withdrawn in accordance with the decision of the Pre-Appeal Brief Review Conference.

In light of the arguments below, Applicant asks the Office to reconsider these rejections and to allow all of the claims.

The 103(a) Rejections over Held in view of Daly

With regard to Applicant's claim 1, the Examiner states that Held is "silent with reference to causing a service to be invoked in plurality of nodes/starting selected software components in plurality of nodes" *(see, e.g.,* March 8, 2006 Official Action, pg. 3, 5). Accordingly, the Examiner relies on Daly to address

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these deficiencies of Held *(see, e.g.,* March 8, 2006 Official Action, pg. 3, 6).
However, as pointed out in Applicant's prior replies and the Pre-Appeal Brief
Request for Review filed December 2, 2005 Daly also does not provide the noted
deficiencies.

The present Official Action refers to Figure 5A of Daly and the text at
column 8, lines 41-67 and column 9, lines 66-67 as teaching "causing a service to
be invoked in plurality of nodes/starting selected software components in plurality
of nodes." Figure 5A illustrates an architecture for a remote network
administrative apparatus, the architecture including a component repository, a
server manager component 104 and a server manager window 108. The text at
column 8, lines 41-67 describes a process for obtaining network service
instantiation data from a computer network and returning that data to the server
manager component 104 to be displayed in server manager window 108. Column
9, lines 66-67 describes the creation of a PrintService object 112 by server
manager component 104.

It is not seen that Figure 5A or the referenced text of Daly teaches or
suggests "the start routine causing one or more services to be invoked in each of
the nodes," let alone the invoked services starting selected software components in
each of the nodes as further required by Applicant's claim 1 and found to be
missing by the Examiner from Held. Accordingly it is believed that claim 1 and
its dependent claims 2, 3, 5, 7, 9-11, 20, and 24-27 are patentable over Held in
view of Daly.

<u>The 103(a) Rejections over Bezviner in view of Held</u>

In the March 8, 2006 Official Action, the Examiner states that Bezviner
does not teach what amounts to the last two elements of Applicant's claim 13,
namely a "manager module executable in the database system to invoke services in

the plurality of nodes to control starting of the software components," and a "start procedure executable in a first one of the [plurality of] nodes to invoke the services in respective nodes through the manager module" *(see* March 8, 2006 Official Action, pg. 7-8, ¶ 29). As a result, the Examiner attempts to rely on Daly to address these deficiencies of Bezviner.

In support of use of Daly to address the deficiencies of Bezviner, the Examiner states that "Daly teaches a manager module executable in the database system to invoke services to control starting of the software components (figure 5A (Server Manager component 104) Col. 8 Ln. 41-67, Col. 9 Ln.66-67) and a start procedure executable in a first one of the nodes to invoke the services in the plurality of nodes through the manager module ("...creates..." Col. 8 Ln. 41-67, Col. 9 Ln.66-67)" *(see* March 8, 2006 Official Action, pg. 8, ¶ 30).

As discussed above, Figure 5A of Daly illustrates an architecture for a remote network administrative apparatus, the architecture including a component repository, a server manager component 104 and a server manager window 108. The text at column 8, lines 41-67 describes a process for obtaining network service instantiation data from a computer network and returning that data to the server manager component 104 to be displayed in server manager window 108. Column 9, lines 66-67 describes the creation of a PrintService object 112 by server manager component 104.
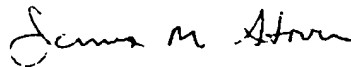
It is not seen that Figure 5A or the referenced text of Daly teaches or suggests "a manager module executable in the database system to invoke services in the plurality of nodes to control starting of the software components," and a "start procedure executable in a first one of the plurality of nodes to invoke the services in respective nodes through the manager module." Accordingly it is believed that claim 13, as well as dependent claims 14-16, 19, and 28-30 are patentable over Bezviner in view of Daly.

Regarding claim 21, the Examiner similarly relies on Daly to provide teachings lacking in Bezviner. In particular, in the March 8, 2006 Official Action the Examiner states that Bezviner does not explicitly teach, among other things, to "invoke services in the plural nodes to start database software components" as required by Applicant's claim 21 *(see* March 8, 2006 Official Action, pg. 9, ¶ 37). However, as discussed above in regard to Applicant's claims 1 and 13, it is not seen that Daly teaches this limitation of invoking services in plural nodes to start software components in the plural nodes. Therefore, neither Bezviner nor Daly, taken alone or in combination, teaches or suggests all the elements of Applicant's claim 21. Consequently claim 21 and its dependent claims are believed to be patentable over these references.

Likewise, it is not seen that Daly teaches an element of Applicant's claim 33 the Examiner states is absent from Bezviner, namely "a start procedure executable in a first one of the plurality of nodes to invoke services in each of the plurality of nodes." The result is that claim 33 and its dependents are also patentable over Bezviner in view of Daly.

In view of the foregoing amendments and remarks, it is believed that the application is in condition for allowance. Early and favorable action is respectfully requested.

Respectfully submitted,

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